



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

**Thami SMIRES et al.**

Group Art Unit: **3624**

Serial No: **10/658,405**

Examiner: **S. Meinecke Diaz**

Filed : **September 10, 2003**

For : **METHOD AND APPARATUS FOR CONDUCTING  
TRANSACTIONS GENERATED AT  
POINT-OF-SALE LOCATIONS**

Okay to enter.  
SMD  
5/12/08

**RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Office Action of January 9, 2008 and the references cited therein have now been carefully studied. Reconsideration and allowance of this application are earnestly solicited.

The undersigned appreciates the Examiner's indication that the articles included in the Declaration filed on October 4, 2007 (Exhibits I and II provided herewith for the Examiner's convenience) does serve as evidence that most of the features of claim 1 were reduced to practice prior to the earliest priority date of July 22, 2002 of the reference to Kim. However, according to the Examiner, the feature of allowing a merchant to view and alter a transaction was not shown in Exhibits I and II.

It is maintained that the present invention as recited in the claims was conceived and reduced to practice prior to July 22, 2002. Consequently, applicant is enclosing herewith a second Declaration Under 37 C.F.R. §1.131 signed by all of the inventors attesting to this fact. This Declaration includes both Exhibits I